

HOFFMANN EITLE

# Patent Litigation and Contracts



## Our expertise

- Enforcement of patents, utility models and supplementary protection certificates (SPCs)
- Defence against claims for infringement
- Oppositions, nullity actions, cancellation requests and counter-claims
- Coordination of pan-European patent litigation
- Defence against generic early entry
- Licenses and other IP agreements
- IP-related anti-trust issues
- Technology-related unfair competition law
- Assertion of claims for damages
- Compulsory licenses
- Provisional injunctions
- Inspections
- Border seizures
- Advice on patent strategy

# Law, technology and science

In patent disputes, detailed legal knowledge, a broad understanding of technology, and a great deal of experience are what count. Whether it is encryption technology for mobile communication, bi-specific antibodies for cancer therapy, ceramic dental implants, food emulsifiers, bacterial strains, clothing irons or prosthetic heart valves, our highly qualified attorneys-at-law plunge into the technical, scientific and medical background of each case with vigour and efficiency. Hand in hand with our patent attorneys, our litigators distil out the relevant details and evaluate them with legal precision in order to develop the most effective strategies. By keeping the lines of communication short, we get to the decisive points more quickly. We are highly committed to our clients' interests, in Europe and around the globe. A helpful argument in Europe can be problematic in the USA or Japan – or vice versa. For this reason, we carefully and continually nurture our international network so that we can develop and coordinate a strategy that works on a global level.

## Our commitment to your business

### Assertive in patent infringement litigation

The close dialog between our litigation-experienced attorneys-at-law and our patent attorneys breaks down complex scenarios into language that is easy to understand. In this way, the transparent presentation of the facts of the case seamlessly transitions into strong lines of argumentation. With our well-coordinated and experienced litigation teams of attorneys-at-law and patent attorneys, we equally rely on each other; whether it be for intensive preparation, where the smallest details can make the difference, or for oral arguments in the court room, when decisions have to be made quickly and a lot is at stake.

### Alternative dispute resolution

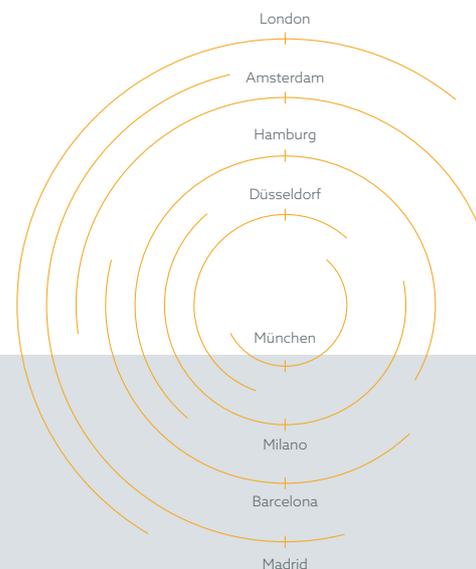
Arbitration proceedings offer a number of advantages for the parties, especially if the dispute is not to be settled in public. With our experience, we safely guide our clients through the flexible procedure and best leverage its potential for their business interests. In the field of mediation, we guide with constructive and de-escalating strategies. It is not uncommon for the parties to recognize the potential for a creative, amicable settlement only after a closer look. Carefully balancing the necessary confidence with the required sensitivity, we support our clients in building a basis of trust for consensual negotiations.

### Looking ahead with IP contracts

When negotiating and drafting license and R&D agreements, our experience in both stringent negotiation management and the exploitation/enforcement of protective rights come into play. Looking ahead, we consider future scenarios, keep an eye on anti-trust related requirements and safeguard potential areas of conflict. We support you with clear definitions, clauses and formulations so that you do not give anything away.

### IP due diligence

Our decades of experience in filing, defending and enforcing IP rights is the foundation of our due diligence practice. With a practiced eye, we sift through portfolios and identify strengths and weaknesses, opportunities and threats, in terms of title, scope of protection and validity. Our clients benefit from this expertise in planned sales, joint ventures, restructurings and investments.



**HOFFMANN EITLÉ | Patent- und Rechtsanwälte PartmbB**

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